

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 10-54792

LATOYA MONIQUE RICE, *pro se*,

Chapter 7

Debtor(s).

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Judge Thomas J. Tucker

**ORDER REQUIRING BANKRUPTCY PETITION PREPARER  
TAMOND WILSON TO REFUND \$300.00 TO DEBTOR**

On May 3, 2010, Debtor filed a voluntary petition for relief under Chapter 7, initiating this case. Tamond Wilson signed the petition as a non-attorney bankruptcy petition preparer. Also on May 3, 2010, Debtor filed a “Declaration Under Penalty of Perjury for Debtor(s) Without an Attorney” (Docket # 5), which states that Debtor paid Tamond Wilson \$400.00 for help in preparing the documents for his bankruptcy filing.

This Court’s Administrative Order No. 10-21 (“Order Regarding Maximum Allowable Fee Chargeable by a Bankruptcy Petition Preparer,”) dated April 20, 2010,<sup>1</sup> provides that “[t]he presumptive maximum allowable fee chargeable by a bankruptcy petition preparer in any case is \$100.00.” (Admin. Or. 10-21 at ¶ 1.) This Administrative Order requires any bankruptcy petition preparer who seeks approval of fees in an amount greater than \$100.00 to file a motion seeking allowance of those fees, with an affidavit stating the facts which support fees greater than \$100.00. “The affidavit must also include a statement that the debtor has reviewed the motion and affidavit. The motion and affidavit must be filed within 14 days after the date of the filing the petition, and served on the debtor(s), case trustee, and the U.S. Trustee.” (*Id.* at ¶ 3.)

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<sup>1</sup> Administrative Order No. 10-21 may be found on the Court’s website at [http://www.mieb.uscourts.gov/notices/order\\_re\\_max\\_fee.pdf](http://www.mieb.uscourts.gov/notices/order_re_max_fee.pdf).

Administrative Order No. 10-21 provides further:

Any bankruptcy petition preparer who charges a fees in excess of the value of services rendered shall be subject to sanctions under Section 110 of the Bankruptcy Code, including, but not limited to, the disallowance and turnover of any fee found to be in excess of the fee allowed by this order or by an order of the Court.

(*Id.* at ¶ 4.)

Bankruptcy Petition Preparer Tamond Wilson failed to file a motion to allow a fee greater than the \$100.00 presumptive maximum allowable fee. Such motion was due to be filed no later than May 17, 2010.

Accordingly,

IT IS ORDERED that:

1. Bankruptcy Petition Preparer TAMOND WILSON must refund \$300.00 in fees to the Debtor, **no later than May 28, 2010.**
2. Bankruptcy Petition Preparer TAMOND WILSON must file with the Court an affidavit showing compliance with this Order, **no later than May 28, 2010.**

**Signed on May 21, 2010**

/s/ Thomas J. Tucker  
**Thomas J. Tucker**  
**United States Bankruptcy Judge**